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**TITLE 312 NATURAL RESOURCES COMMISSION**

**Proposed Rule**  
LSA Document #09-984

**DIGEST**

Amends [312 IAC 9-4-10](#) by reducing the length of the ruffed grouse hunting season on public land. Amends [312 IAC 9-4-11](#) by modifying the dates of the fall season for hunting wild turkeys, adding counties where wild turkeys may be hunted during the fall season, and adding a hunter orange requirement for hunting during the fall season that coincides with deer muzzleloader season. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[312 IAC 9-4-10](#); [312 IAC 9-4-11](#)

SECTION 1. [312 IAC 9-4-10](#) IS AMENDED TO READ AS FOLLOWS:

**[312 IAC 9-4-10](#) Ruffed grouse**

**Authority:** [IC 14-10-2-4](#); [IC 14-22-2-6](#)

**Affected:** [IC 14-22](#)

Sec. 10. (a) An individual may hunt ruffed grouse (*Bonasa umbellus*) only from:

- (1) October 1 through December 31 on privately owned lands; and**  
**(2) October 1 through November 10 or the first Friday after November 10, whichever is later, on publicly owned lands.**

(b) An individual may take two (2) ruffed grouse per day.

(c) An individual must not hunt ruffed grouse except in the following counties:

- (1) Bartholomew.
- (2) Brown.
- (3) Clark.
- (4) Crawford.
- (5) Dearborn (south of U.S. 50).
- (6) Greene (east of U.S. 231).
- (7) Jackson.
- (8) Jefferson.
- (9) Jennings (south of U.S. 50).
- (10) Johnson.
- (11) LaGrange (except Pigeon River Fish and Wildlife Area).
- (12) Lawrence.
- (13) Martin.
- (14) Morgan.
- (15) Monroe.
- (16) Ohio.
- (17) Orange.
- (18) Owen.
- (19) Putnam (south of U.S. 40).
- (20) Perry.
- (21) Ripley (south of U.S. 50).
- (22) Scott.
- (23) Steuben (except Pigeon River Fish and Wildlife Area).
- (24) Switzerland.
- (25) Washington.

*(Natural Resources Commission; [312 IAC 9-4-10](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2710; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Mar 12, 2010, 1:28 p.m.: [20100407-IR-312090479FRA](#))*

SECTION 2. [312 IAC 9-4-11](#) IS AMENDED TO READ AS FOLLOWS:

**[312 IAC 9-4-11](#) Wild turkeys**

**Authority:** [IC 14-10-2-4](#); [IC 14-22-2-6](#)

**Affected:** [IC 14-22-11-1](#); [IC 14-22-11-11](#); [IC 35-47-2](#)

Sec. 11. (a) Except as provided in subsection (c), an individual may hunt wild turkeys (*Meleagris gallopavo*) in the spring from the first Wednesday after April 20 and continuing for an additional eighteen (18) consecutive days.

(b) An individual may hunt wild turkeys (*Meleagris gallopavo*) during the fall as follows:

(1) With firearms **as follows:**

**(A)** From the first Wednesday after October 14 and continuing for an additional four (4) consecutive days and **in the following counties only:**

- (i) Dekalb.
- (ii) LaGrange.
- (iii) LaPorte.
- (iv) Marshall.
- (v) St. Joseph.
- (vi) Starke.
- (vii) Steuben.

**(B)** From the first Wednesday after October 14 and continuing for an additional eleven (11) consecutive days in the following counties only:

- (i) Bartholomew.
- (ii) Brown.
- (iii) Clark.
- (iv) Clay
- (v) Crawford.
- (vi) Daviess.
- (vii) Dearborn.
- (viii) Dubois.
- (ix) Fayette.
- (x) Floyd.
- (xi) Fountain.
- (xii) Franklin.
- (xiii) Gibson.
- (xiv) Greene.
- (xv) Harrison.
- (xvi) Jackson.
- (xvii) Jefferson.
- (xviii) Jennings.
- (xix) Knox.
- (xx) Lawrence.
- (xxi) Martin.
- (xxii) Monroe.
- (xxiii) Morgan.
- (xxiv) Ohio.
- (xxv) Orange.
- (xxvi) Owen.
- (xxvii) Parke.
- (xxviii) Perry.
- (xxix) Pike.
- (xxx) Posey.
- (xxxi) Putnam.
- (xxxii) Ripley.
- (xxxiii) Scott.
- (xxxiv) Spencer.
- (xxxv) Sullivan.
- (xxxvi) Switzerland.

- (xxxvii) Union.
- (xxxviii) Vanderburgh.
- (xxxix) Vermillion.
- (xl) Vigo.
- (xli) Warren.
- (xlii) Warrick.
- (xliii) Washington.

(2) With a bow and arrows from:

**(A)** October 1 to the end of the fall turkey season with firearms ~~except as provided as established in subsection (e).~~ **(b)(2); and**

**(B) the first Saturday after the closing day of deer firearms season as established in [312 IAC 9-3-4\(c\)\(2\)](#) through the first Saturday in January.**

(c) The spring and fall seasons for hunting and possessing wild turkeys on Camp Atterbury shall be determined by the director on an annual basis to prevent interference with military training exercises.

(d) An individual may take one (1):

- (1) bearded or male wild turkey during the spring season; and
- (2) wild turkey of either sex during the fall season.

(e) An individual must not do the following:

(1) Hunt wild turkeys except between one-half (1/2) hour before sunrise and sunset.

(2) Take a wild turkey except with the use of one (1) of the following:

(A) A shotgun or muzzleloading shotgun:

(i) not smaller than 20 gauge; and

(ii) not larger than 10 gauge;

loaded only with shot of size 4, 5, 6, 7, or 7 1/2.

(B) A bow and arrows, including crossbows as defined in [312 IAC 9-3-4\(g\)](#), with the following restrictions:

(i) An individual must not use a:

(AA) long bow; or

(BB) compound bow;

of less than thirty-five (35) pounds pull.

(ii) Arrows must be equipped with metal or metal-edged (or flint, chert, or obsidian napped) broadheads.

(iii) An individual must not use a:

(AA) crossbow of less than one hundred twenty-five (125) pounds pull;

(BB) crossbow without a mechanical safety; or

(CC) poisoned or explosive arrow.

(iv) No portion of a bow's riser (handle) or:

(AA) track;

(BB) trough;

(CC) channel;

(DD) arrow rest; or

(EE) other device;

that attaches to the bow's riser shall contact, support, or guide the arrow from a point rearward of the bow's brace height.

~~(v) Before or after lawful shooting hours, an individual must not possess a:~~

~~(AA) long bow;~~

~~(BB) compound bow; or~~

~~(CC) crossbow;~~

~~in the field if the nock of the arrow is placed on the bow string.~~

(3) Hunt wild turkeys in the fall season ~~except in a county the director designates on an annual basis by temporary rule.~~ **that takes place during the deer muzzleloader season as established in [312 IAC 9-3-4\(f\)](#) unless that individual wears hunter orange.**

(f) The special youth season for hunting wild turkeys under this subsection is two (2) consecutive days beginning on the Saturday immediately before the start of the spring turkey season established in subsection (a). As used in this subsection, "youth" means an individual who is less than eighteen (18) years of age on the date of the hunt. A youth who hunts a wild turkey under this section must be accompanied by an adult who is at least eighteen (18) years of age. An adult accompanying a youth hunter must not possess a firearm, bow and arrow, or

crossbow while in the field. The seasonal limit for hunting **wild** turkeys under this subsection is one (1) bearded or male wild turkey. A youth hunter who takes a wild turkey under this subsection must not take another wild turkey during the spring turkey season in the same year.

(g) An individual must not use or possess:

- (1) a dog;
- (2) another domesticated animal;
- (3) a live decoy;
- (4) a recorded call;
- (5) an electronically powered or controlled decoy; or
- (6) bait;

while hunting a wild turkey. An area is considered baited for ten (10) days after the removal of the bait, but an area is not considered to be baited that is attractive to wild turkeys resulting from normal agricultural practices.

(h) An individual must not possess a handgun while hunting wild turkeys or while accompanying the youth hunter during the season established in subsection (f) unless the individual possesses a handgun in accordance with [IC 35-47](#) and:

- (1) has a valid unlimited license to carry a handgun issued under [IC 35-47-2-3](#);
- (2) has a valid unlimited license to carry a handgun recognized under [IC 35-47-2-21](#)(b); or
- (3) is not required to possess a license to carry a handgun under [IC 35-47-2-2](#).

(i) Except as provided under [IC 14-22-11-1](#) and [IC 14-22-11-11](#), an individual must not hunt:

- (1) wild turkeys unless possessing a completed and signed license bearing the individual's name; or
- (2) with a wild turkey license issued to another individual.

(j) An individual may take a wild turkey during the spring season established under subsection (a) only if:

- (1) issued a license to hunt wild turkeys with:
  - (A) a resident youth consolidated hunting license under [IC 14-22-11-10](#)(b);
  - (B) a resident spring turkey license under [IC 14-22-11-10](#)(a) or [IC 14-22-12-1](#)(a)(20);
  - (C) a nonresident spring turkey license under [IC 14-22-12-1](#)(a)(21);
  - (D) a resident youth consolidated hunting license under [IC 14-22-12-1](#)(a)(24);
  - (E) a nonresident youth spring turkey license under [IC 14-22-12-1](#)(a)(27);
  - (F) a lifetime comprehensive hunting license under [IC 14-22-12-7](#)(a)(4);
  - (G) a lifetime comprehensive hunting and fishing license under [IC 14-22-12-7](#)(a)(5); or
  - (H) an apprentice spring turkey hunting license under [IC 14-22-12-1.7](#); or
- (2) hunting under [IC 14-22-11-1](#).

(k) An individual may take a wild turkey during the fall season established under subsection (b) only if:

- (1) issued a license to hunt wild turkeys with:
  - (A) a resident youth consolidated hunting license under [IC 14-22-11-10](#)(b);
  - (B) a resident fall turkey license under [IC 14-22-11-10](#)(a) or [IC 14-22-12-1](#)(a)(22);
  - (C) a nonresident fall turkey license under [IC 14-22-12-1](#)(a)(23);
  - (D) a resident youth consolidated hunting license under [IC 14-22-12-1](#)(a)(24);
  - (E) a nonresident youth fall turkey license under [IC 14-22-12-1](#)(a)(28);
  - (F) a lifetime comprehensive hunting license under [IC 14-22-12-7](#)(a)(4);
  - (G) a lifetime comprehensive hunting and fishing license under [IC 14-22-12-7](#)(a)(5); or
  - (H) an apprentice fall turkey hunting license under [IC 14-22-12-1.7](#); or
- (2) hunting under [IC 14-22-11-1](#).

(l) Immediately after taking a wild turkey, an individual must attach a piece of paper to a leg of the turkey directly above the spur stating the following:

- (1) The name and address of the individual who took the ~~wild~~ turkey.
- (2) The license number (if applicable) of the individual who took the ~~wild~~ turkey.
- (3) The date the wild turkey was taken.
- (4) The sex of the wild turkey taken.

(m) An individual who takes a wild turkey must do the following:

- (1) Cause delivery of the wild turkey to an official turkey checking station within forty-eight (48) hours of taking.
  - (2) Register the wild turkey in the name of the individual who took the wild turkey.
  - (3) Provide the check station with true and accurate information, including the name and license number of the individual who took the wild turkey and the date the wild turkey was taken.
  - (4) Receive the permanent seal after the checking station operator:
    - (A) records the permanent seal number on the log; and
    - (B) collects the piece of paper described in subsection (l).
  - (5) Immediately and firmly affix the seal to the leg of the wild turkey as follows:
    - (A) On the leg of a wild turkey for a wild turkey taken during the spring season.
    - (B) Through a section of skin or flesh to prevent its removal (without cutting the seal or the body part to which it is affixed) for a wild turkey taken in the fall season.
- The permanent seal must remain affixed until processing of the wild turkey begins.

(n) The official wild turkey checking station operator shall accurately and legibly complete all forms provided by the department and make those forms available to department personnel on request.

(o) The feathers and beard of a wild turkey must remain attached while the wild turkey is in transit from the site where taken.

(p) As used in this section, "bait" means to:

- (1) place;
- (2) expose;
- (3) deposit;
- (4) distribute; or
- (5) scatter;

grain, salt, or other feed to lure, attract, or entice a wild turkey to an area where a person may take the wild turkey.

*(Natural Resources Commission; [312 IAC 9-4-11](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2710; filed May 28, 1998, 5:14 p.m.: 21 IR 3715; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1533; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 541; filed May 25, 2005, 10:15 a.m.: 28 IR 2946; filed Jun 23, 2006, 2:24 p.m.: [20060719-IR-312050214FRA](#); filed Jan 8, 2007, 9:11 a.m.: [20070207-IR-312060193FRA](#); filed Sep 6, 2007, 12:20 p.m.: [20071003-IR-312070023FRA](#); readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Apr 3, 2009, 1:48 p.m.: [20090429-IR-312080740FRA](#); filed Mar 12, 2010, 1:28 p.m.: [20100407-IR-312090479FRA](#))*

#### [Notice of Public Hearing](#)

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